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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
D'ARCY QUINN,

Plaintiff,

against -

ALTRIA GROUP, INC., *et al.*

:

Defendants.  
-----X

07 Civ. 8783 (LTS) (RLE)  
ECF Case

**NOTICE OF MOTION FOR  
RECONSIDERATION, OR, IN  
THE ALTERNATIVE, FOR  
CERTIFICATION PURSUANT  
TO 28 U.S.C. § 1292 (B)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and all prior pleadings and proceedings had herein, defendant Altria Group, Inc. hereby moves this Court (i) pursuant to Local Civil Rule 6.3, for reconsideration of the Court's Order, dated February 15, 2008, denying said defendant's motion to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(1), or, in the alternative, (ii) pursuant to 28 U.S.C. § 1292(b), for certification of such Order for immediate appeal.

We hereby certify that, pursuant to Rule 2.B. of the Individual Practices of The Honorable Laura T. Swain, Altria Group, Inc. used its best efforts to resolve informally the matters raised by this motion.

Dated: March 3, 2008

Respectfully submitted,

PROSKAUER ROSE LLP

By: Howard L. Ganz

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